

IN THE SUPREME COURT OF THE STATE OF DELAWARE

ABDULLAH HUBBARD,	§
	§
Defendant Below-	§ No. 250, 2008
Appellant,	§
	§
v.	§ Court Below—Superior Court
	§ of the State of Delaware,
STATE OF DELAWARE,	§ in and for New Castle County
	§ Cr. ID 9905018910
Plaintiff Below-	§
Appellee.	§

Submitted: October 3, 2008
Decided: December 12, 2008
Amended: January 23, 2009

Before **STEELE**, Chief Justice, **HOLLAND** and **BERGER**, Justices.

ORDER

This 23rd day of January 2009, after careful consideration of the parties' briefs and the record on appeal, we find it manifest that the judgment below should be affirmed on the basis of the Superior Court's well-reasoned decision dated April 29, 2008. The Superior Court did not err in concluding that appellant's second motion for postconviction relief was procedurally barred by Superior Court Criminal Rule 61(i)(1), (2), and (3) and that appellant had failed to overcome these procedural hurdles.

NOW, THEREFORE, IT IS ORDERED that the judgment of the Superior Court is AFFIRMED.

BY THE COURT:

/s/ Randy J. Holland
Justice